

**BEFORE THE INDEPENDENT HEARINGS PANELS APPOINTED TO HEAR AND MAKE  
RECOMMENDATIONS ON SUBMISSIONS AND FURTHER SUBMISSIONS ON PROPOSED PLAN  
CHANGE 1 TO THE NATURAL RESOURCES PLAN FOR THE WELLINGTON REGION**

**UNDER** the Resource Management Act 1991 (the  
Act)

**AND**

**IN THE MATTER** of Hearing of Submissions and Further  
Submissions on Proposed Plan Change 1 to  
the Natural Resources Plan for the  
Wellington Region under Schedule 1 of the  
Act

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**STATEMENT OF EVIDENCE OF JOSHUA CRAIG PEPPERELL  
ON BEHALF OF GREATER WELLINGTON REGIONAL COUNCIL**

**TECHNICAL (ENVIRONMENT REGULATION) EVIDENCE**

**HEARING STREAM 3 – FORESTRY**

**15 APRIL 2025**

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## **INTRODUCTION**

- 1 My name is Joshua Pepperell. I am a Senior Resource Advisor at Greater Wellington Regional Council (the Council). I have been employed by the Council since February 2020.
- 2 I have prepared this statement of evidence on behalf of the Council in respect of technical matters arising from the submissions and further submissions Proposed Plan Change 1 to the Natural Resources Plan for the Wellington Region (PC1) regarding vegetation clearance and forestry. I have read the section 42A report and submissions relating to these topics.

## **QUALIFICATIONS AND EXPERIENCE**

- 3 I hold a Bachelor of Resource and Environmental Planning (Second Class Honors) from Massey University, Palmerston North.
- 4 I have 5 years of experience in the undertaking consenting and compliance for forestry activities in the Greater Wellington Region. I am currently the lead of forestry consenting for the Environmental Regulation Business Unit at Council.
- 5 I have previously been the lead of the Forestry Compliance Programme for the Environmental Regulation Business Unit (EREG) at Council.

## **CODE OF CONDUCT**

- 6 I have read the Code of Conduct for Expert Witnesses set out in the Environment Court's Practice Note 2023 (Part 9). I have complied with the Code of Conduct in preparing this evidence. My experience and qualifications are set out above. Except where I state I rely on the evidence of another person, I confirm that the issues addressed in this evidence are within my area of expertise, and I have not omitted to consider material facts known to me that might alter or detract from my expressed opinions.

## **SCOPE OF EVIDENCE**

- 7 My evidence addresses:
  - 7.1 An overview of the current and previous regulatory framework for forestry activities in the Greater Wellington Region dating back to when the National Environmental Standards for Plantation Forestry (NES-PF) came into effect in 2018.

- 7.2 The Council's Forestry Compliance Programme for permitted and consented forestry sites under the National Environmental Standards for Plantation Forestry/Commercial Forestry (NES-PF/CF). Including the changes in prioritisation and resourcing.
- 7.3 How many resource consents have been issued under the NES-PF, NES-CF and Natural Resources Plan (NRP) across the Region and within the Te Awarua-o-Porirua Whaitua (TAoP) and Te Whanganui-a-tara Whaitua (TWT).
- 7.4 The number of harvesting and earthworks notifications received in accordance with the NES-PF/CF within the TAoP and TWT, including the number of Harvest and Earthworks Management Plans provided.
- 7.5 How many site visits have been undertaken by Council staff to permitted forestry sites within the TAoP and TWT, including proactive monitoring and incident response.
- 7.6 The general observations and findings of compliance visits undertaken for consented and permitted forestry harvesting and earthworks within the TAoP and TWT.
- 7.7 Observations of non-compliant forestry sites and types of enforcement action undertaken, with details on how issues are followed up where directions, stop works, and actions to do specific things have been enforced.
- 7.8 The number of prosecutions, abatement and infringement notices and a summary of what these breaches have been for.
- 7.9 The challenges of dealing with limited mechanisms and permissive nature of the NES-CF to prove non-compliance. Also, the challenges associated with limited expertise and capability within the Council.

## **PLANTATION FORESTRY REGULATORY FRAMEWORK**

- 8 The Council regulates forestry activities under NES-CF which came into force on the 3<sup>rd</sup> of November 2023 (formerly known as the National Environmental Standards for Plantation Forestry (NES-PF), which came into effect on 1 May 2018).
- 9 The NES-CF provides a set of nationwide rules for managing commercial forestry activities as they relate to plantation or exotic continuous-cover forest. More specifically, there are

eight primary activities covered. These are afforestation, pruning and thinning to waste, earthworks, river crossings, forestry quarrying, harvesting, mechanical land preparation and replanting.

- 10 The NES-CF requires that anyone undertaking an activity which is outlined above, which can meet the permitted conditions of the relevant rule, to submit a notification to the Council. The notification must be submitted prior to works beginning and often requires a management plan to accompany it.
- 11 If permitted activity conditions of any regulation under the NES-CF cannot be met, then resource consent is required. Most activities regulated by the NES-CF are under the jurisdiction of Regional Councils, however there are a number of provisions which also relate to territorial authorities.
- 12 The Council is involved in the NES-CF through receiving notifications of various activities that meet the conditions of the permitted standards. The Council requests management plans and can monitor compliance with the permitted NES-CF rules. The Council also processes resource consents and undertakes compliance monitoring of these consents.
- 13 The Erosion Susceptibility Classification (ESC) is a tool used under the NES-CF to identify the erosion risk of land. It is used as a basis to determine whether the activity is permitted or requires resource consent due to it being on land with a higher risk of erosion.
- 14 The ESC zones are split up into different colours to differentiate between the risk. Green is considered 'low risk' and yellow is considered 'moderate'. These zones include land that is less likely to erode, and forestry activities are generally permitted, provided conditions can be met. Orange zone land is considered 'high risk', and red zone is 'very high risk'. This land is considered more likely to erode. Most forestry activities cannot be carried out on red-zoned land without resource consent. Some activities, such as earthworks also require consent on orange-zoned land with steeper slopes<sup>1</sup>.
- 15 The ESC categories are based on the topography, factoring in the steepness of the slopes as well as the dominant erosion process for the particular rock type.

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<sup>1</sup> <https://www.mpi.govt.nz/forestry/national-environmental-standards-commercial-forestry/erosion-susceptibility-classification/>

## The Greater Wellington Context (Te Awarua-o-Porirua and Te Whanganui-a-Tara Whaitua)

- 16       TAoP and TWT are predominantly made up of green and yellow ESC zoning, with areas of orange zone in the steeper parts of the Tararua ranges to the east and north of these catchments. There is no red zone within TAoP, however, there are two small areas of red zone within TWT which total approximately 551ha. As illustrated in Appendix 1, these red zone areas are located on the eastern and northern boundary of the catchment where there is native vegetation cover.
- 17       Forestry activities, such as harvesting and earthworks, within these two whaitua are therefore often able to be undertaken as a permitted activity and do not require resource consent provided the relevant conditions can be met. Appendix 1 illustrates the ESC zoning across the two whaitua (excluding urban areas).

### **FORESTRY COMPLIANCE MONITORING PROGRAMME**

- 18       As mentioned in paragraph [12], the Council are responsible for regulating most activities under the NES-CF.
- 19       The forestry compliance lead is responsible for allocating forests to Resource Advisor's (RA) and Compliance Monitoring and Enforcement (CME) staff. Site visits to consented forestry sites commence around the middle of April and are generally completed by the end of June. Non-complying sites which require follow up and another inspection are often completed outside of these months. Some permitted forestry sites have been visited on a proactive basis since about 2022.

#### Previous Forestry Compliance Programme

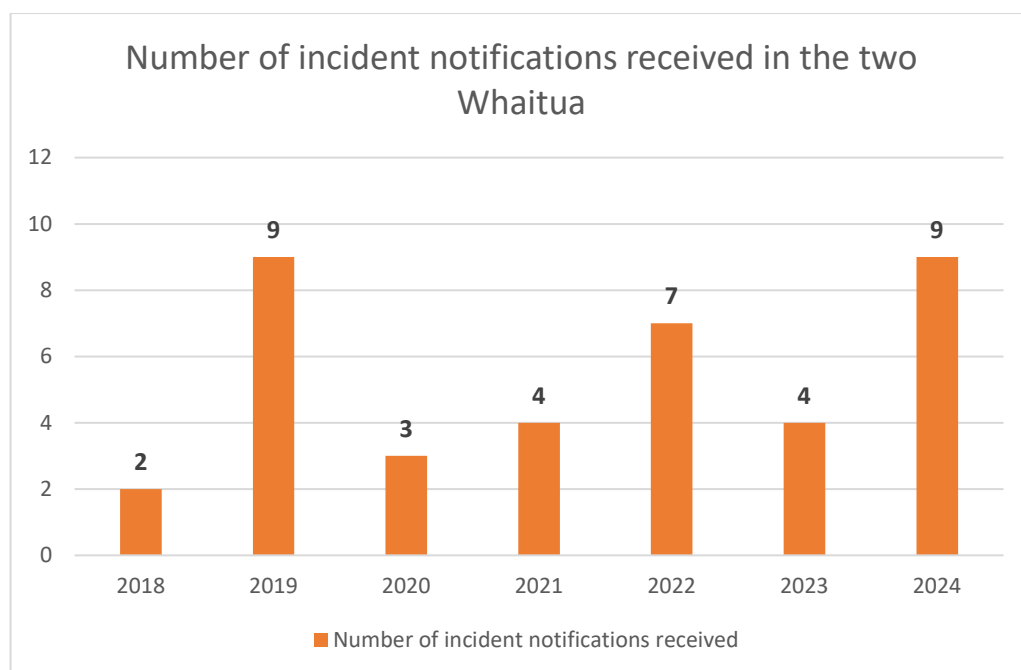
- 20       Prior to the NES-PF, forestry activities were considered under the various Regional Plans (Regional Freshwater Plan, Regional Discharges to Land Plan and Regional Soil Plan).
- 21       When the NES-PF was introduced in 2018, the focus of CME and RAs was on education and engagement with the forestry industry within the Region. Due to limited resources and expertise, the priority was ensuring the foresters were aware of the new regulations and the implications for the activities they were proposing or already undertaking. Several workshops and events were held on the NES-PF and how the Council would implement it.
- 22       At the time the NES-PF came into effect in 2018, the Council had approximately 0.5 of an FTE allocated to forestry monitoring across the entire region. Sites operating under

permitted standards were unable to be included or prioritised as part of the monitoring programme and were not proactively monitored unless complaints were received. Site inspections were only undertaken for consented sites due to resourcing constraints and expertise.

- 23 During the period of 2018 – 2021, forestry sites that were being harvested under the permitted activity standards of the NES-PF were not proactively inspected by Council. The Council generally only undertook an inspection if they received a notification through the pollution hotline from members of the public about non-compliant works.
- 24 In 2021 the Council created six new regulation focused roles to contribute to the compliance program. Three of these staff began in 2021 and were immediately able to increase the Councils compliance capacity in the forestry space, among other activity areas. The focus was on inspecting more permitted activity forestry sites, as this was where we were seeing more regular non-compliance through the pollution hotline.
- 25 A review was undertaken in 2022 of Council’s strategic compliance program. Forestry was rated as one of the highest risk activities that the Council monitors. The risk rating exercise factored in the scale of environmental effects, previous compliance history, the state of the policy environment and public interest.
- 26 Prior to the NES-PF, forestry activities were considered under the various Regional Plans (Regional Freshwater Plan, Regional Discharges to Land Plan and Regional Soil Plan).

#### Incidents

- 27 Council manages pollution and environmental incidents in the region through having CME officers and RAs on duty. There is a dedicated CME or RA on duty every day of the week. When the Council receives a call or an email notification, an RA or CME officer will respond in a variety of ways, depending on the type of incident and its effects on the environment.
- 28 The Council has received 39 incident notifications through the environmental hotline which were listed under the ‘forestry’ subgroup, since 2018. This information was pulled from the CME reporting tool and is specific to notifications received within both TAoP and TWT.



29 19 of the incident notifications specifically noted in their report or call that they were witnessing or had concerns related to sediment discharges from a forestry site.

30 The findings based on the follow up of the incident notifications within both TAoP and TWT since 2018 are as follows:

Compliant	9
Non-compliant	9
Not attended	17
Not detected	4
<b>Total</b>	<b>39</b>

## RESOURCE CONSENTS

31 As highlighted above in paragraph [25], forestry was reassessed as an activity through the compliance program review. This exercise was undertaken by various compliance staff and covered all activities regulated and monitored by the Council.

32 Once the activity risk rating had been determined, an exercise was then undertaken with the list of every active forestry resource consent in the Region. Each existing resource consent was given their own risk rating.



33 The purpose of activity prioritisation and resource consent risk profiling is to provide guidance on the type and frequency of monitoring programme to be applied to each resource consent. The exercise split each site into one of three risk profiles – high, medium, and low.

34 The risk rating for each site is determined by the following:

Includes all activities connected to forestry, including stream works associated with any forestry activity	
Risk/Frequency	Description
<b>High</b>  Every year, possibly twice per year	At least two of the following – <ul style="list-style-type: none"> <li>• Forest manager has a poor attitude</li> <li>• Two or more forestry activities i.e harvesting, earthworks, river crossing</li> <li>• Bad compliance history i.e non compliant two of the last 4 years</li> <li>• Very sensitive environment? i.e High quality waterbody/fish spawning indicator, wetland</li> </ul>
<b>Medium</b>  Every year	One of the following - <ul style="list-style-type: none"> <li>• Forest manager has a poor attitude</li> <li>• Bad compliance history i.e non compliant two of the last 4 years</li> <li>• Sensitive environment i.e High quality waterbody/fish spawning indicator, wetland</li> </ul>
<b>Low</b>  Once every two years	Has all of these – <ul style="list-style-type: none"> <li>• Good compliance history</li> <li>• Good attitude</li> <li>• Afforestation/replanting</li> </ul>

35 When resource consents for forestry activities are now granted, there is a process in place for the compliance lead to give the site a rating so that it is automatically ready to be allocated to a CME officer or RA.

36 The Council currently has 50 active forestry resource consents across the Region, which were processed under the NES-PF, NES-CF and NRP. These include consents for multiple forestry activities within one site, such as harvesting, earthworks, river crossings and replanting. We also have several consents associated with afforestation. Nine of these consents have been categorised based on the table above as ‘high’ risk, with two ‘high’

risk sites being located within the TAO P Twenty-three of the consents are categorised as medium with none of these being located within either Whaitua. The remaining eighteen sites are considered low risk. The risk rating helps focus on which sites may need multiple visits a year or which sites require more senior staff to be in attendance.

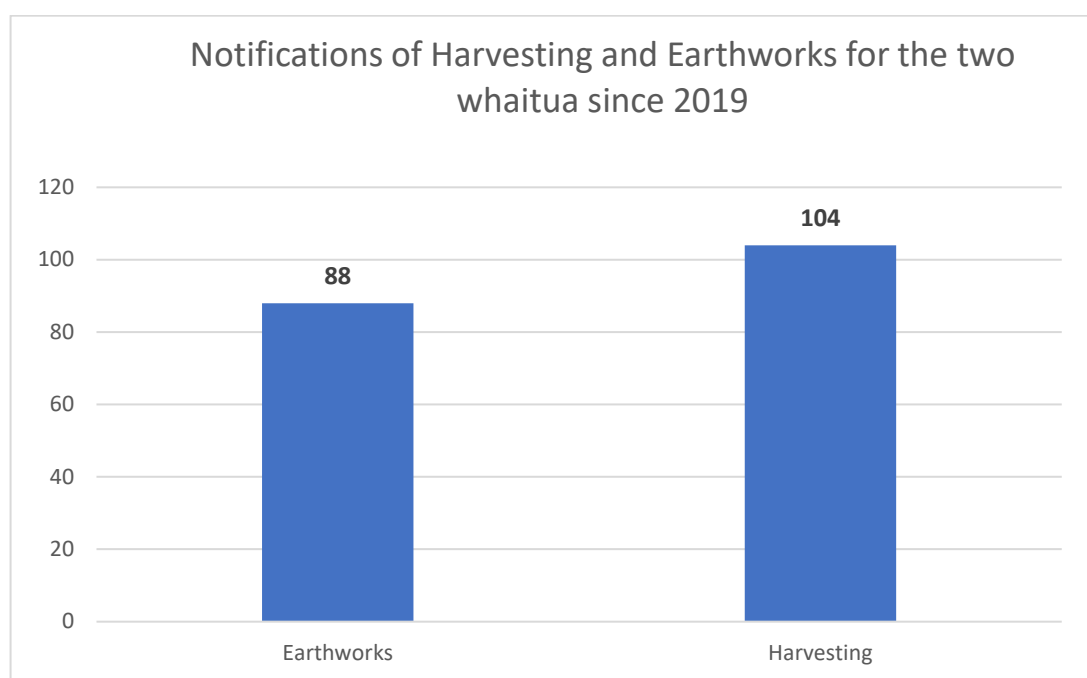
- 37 Within the two Whaitua we have processed a total of nine resource consents for harvesting and earthworks under the NES-PF, NES-CF and NRP since 2018.
- 38 The majority of these have been processed under the relevant National Environmental Standard (NES-PF/CF), however, there have been several which were required to be considered under the NRP. This was due to a technicality in the NES-CF.
- 39 The NES-CF applies to any forest established for commercial purposes of 1ha or over of continuous forest cover. It does not include forest species in urban areas. In the case of the resource consents outlined above which were considered under the NRP, the area where these proposed harvest sites were located was on land that had been rezoned under the District/City Plan as 'urban zone'. The NES-CF was therefore not applicable when determining the status of the proposed forestry activities and it was required to be considered under the NRP.

#### **NOTIFICATIONS UNDER THE NATIONAL ENVIRONMENTAL STANDARDS**

- 40 As previously mentioned, people wanting to undertake forestry activities are required by the NES-CF to give written notice to the Council of the place where afforestation, replanting, harvesting and earthworks will be carried out and the dates on which the afforestation, replanting harvesting and earthworks is planning to begin and end. The timeframes in which this must occur differs depending on the activity.
- 41 When a notification is received, Council can request a copy of the relevant management plan (depending on the activity taking place). This must be provided at least 5 days prior to the planned/notified work being undertaken.
- 42 The Council has a system whereby notifications of permitted forestry activities is primarily received through our online webpage. The webpage has a link to ArcGIS Online where a survey is completed which requires the details of the proposed permitted activities, including the location and proposed start date. This also provides the first opportunity for the notifier to include a Management Plan relevant to the proposed permitted activity.

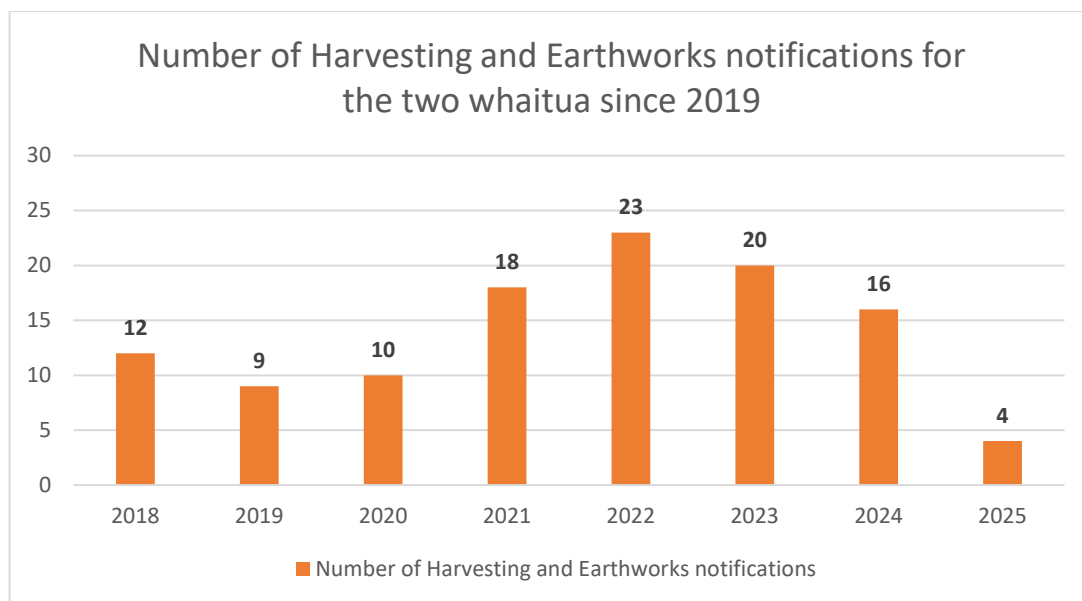
43 The data on ArcGIS which has been submitted through the use of Survey123 on our website has identified a total of 814 written notifications of permitted forest activities since April 18<sup>th</sup>, 2019. About a year on from the NES-PF coming into effect, this is the date the GIS system for receiving notifications was first made operative. This number relates to notifications received across the entire Region.

44 Within TAoP and TWT the Council has received 112 harvesting and earthworks notifications since April 18<sup>th</sup>, 2019. This figure includes some double ups and some forests where they have renotified each year based on a continuation block, where harvesting takes several years to complete.



45 The above graph outlines harvesting and earthwork notifications specific toTAoP and TWT. There is some overlap, with some sites notifying for both harvesting and earthworks, and others only for one activity. As mentioned above, there have been a total of 112 notifications received for harvesting and earthworks.

46 Below breaks down the number of notifications received each year since the NES-PF was introduced. There were two notifications not included in this graph as they did not specify a date. Based on the meta data, these were both submitted in 2019.



#### Current Forestry Compliance Programme

- 47 Currently the Council has approximately 2 FTE associated with undertaking forestry compliance across the entire region which is spread across 4 CME officers and 1 RA. Their roles in forestry compliance include undertaking site inspections and collectively managing the permitted notifications inbox in outlook.
- 48 Through increasing the amount of CME officers focussed on forestry, the Council's ability to respond and prioritise forestry as an activity has increased.
- 49 The Council's priority is to monitor resource consents first, however where resources and capacity allows, permitted activity monitoring will be and has been undertaken since 2022. A similar approach to risk-based compliance monitoring of resource consents is applied when considering what permitted activities will be monitored.

#### Management Plans

- 50 Of the 112 permitted notifications for harvesting and earthworks received since 2018 in these catchments, 56 were provided with a harvest and earthworks management plan. 53 of those harvest and earthworks management plans were provided between 2021 and now. Management Plans are now provided with almost every notification we receive across the Region.

## Notification data

- 51 It's important to note that the figures above only indicate notifications received and are not an exact number of actual permitted forestry activities being undertaken each year or on a continuous basis. While the numbers are an accurate reflection of the number of notifications that have been submitted to the Council, some activities are notified and never started due to market conditions or landowner agreements falling through. This may result in a forest being notified again years later under the same name. Additionally, this includes notifications for forestry activities which are ongoing (multiple notifications for the same activity). In all of these situations, this is counted as a new notification in our system.

## NUMBER OF SITE VISITS UNDERTAKEN

- 52 Site visits are undertaken for both consented and permitted forestry activities. For context, the number of site visits undertaken for harvesting and earthworks activities across the Region has increased since the NES-PF was introduced.
- 53 Based on annual reporting that the Council must do for the Ministry for the Environment (MfE), I was able to obtain the number of site visits undertaken each year for consented and permitted forestry sites. It is only within the last financial year that the Council has been able to differentiate between consented and permitted as they were either added together as a total for reporting purposes or in the case of permitted site visits, were not proactively undertaken until 2022-23.
- 54 In the financial year 2018-2019 there were a total of 17 site inspections undertaken relating to earthworks and 19 related to harvesting across the Region. Many of these would relate to the same site or operation with both activities being undertaken simultaneously. In the same financial year, there were 5 non-compliances found related to earthworks and 6 related to harvesting. Again, some of these relate to the same site or operation.
- 55 Based on the data provided for the MfE reporting, there has been an increase in site visits year on year. Other than the 2019-20 financial year reporting, non-compliances relating to harvesting and earthworks have also increased year on year. This is a well-known correlation where an increase in 'on the ground' monitoring has resulted in an increase in non-compliances found.

56 In comparison, in the last financial year of reporting (2023-24) there was a total of 101 site visits undertaken for consented harvesting and earthwork sites and 25 for permitted. Of the 101 consented site visits, 37 non-compliances were found. Out of the 25 permitted activities monitored, 6 non-compliances were found. At least 10 of these site visits for permitted activities were undertaken within TAoP and TWT, with most of these relating to multiple site visits across Council owned land in line with the site visit schedule described below in paragraph [57].

#### Te Awarua-o-Porirua Whaitua and Whaitua Te Whanganui-a-Tara

57 One of the largest landowners within these catchments is the Council itself, with some of the largest commercial forest area. Since approximately 2022 the Council has introduced an inspection schedule where compliance staff visit Council forests across these catchments on a minimum of three times a year. In addition to these inspections, the Eastern parks team will provide updates via email and often organise site visits prior to the commencement of any new harvest sites. On Council land there are two forests in Upper Hutt, Akatarawa and Pakuratahi with a small amount of forestry also present in Kaitoke Regional Park.

58 As outlined above, the Council has granted nine resource consents for forestry activities within these catchments under the NES-CF, NES-PF or NRP. These resource consents include harvesting, earthworks, river crossings and slash traps.

59 Most of these consents have been granted between 2022 and 2024 with several river crossings also being granted in 2019. Out of the nine consents, four relate to works associated with harvesting and earthworks. These consents were all granted in either 2023 or 2024. Three have had site inspections undertaken, with one being found with non-compliances. This investigation is ongoing at the time of drafting this report. The remaining site has not begun works and is expected to be monitored this year.

#### **THE GENERAL OBSERVATIONS AND FINDINGS OF COMPLIANCE VISITS UNDERTAKEN FOR CONSENTED AND PERMITTED FORESTRY HARVESTING AND EARTHWORKS**

60 There are a wide variety of enforcement tools available for use when dealing with non-compliance, which can be broken down into directive actions and punitive actions. Directive actions include the use of advisory notices, abatement notices and enforcement orders. Punitive actions include formal warnings, infringement notices and prosecution.

- 61 The compliance approach adopted by Environmental Regulation at the Council builds on the well-known 4 E's model – enable, engage, educate and enforce. The aim of this model is to understand and influence behaviour across a range of both compliant and non-compliant activities.
- 62 Recent general observations from undertaking compliance inspections are that consented forestry activities are more often compliant in comparison to permitted sites.
- 63 Most forest management companies have employed one or multiple environmental coordinators who are responsible for ensuring regulatory matters have been met and are understood by the contractors on the ground. The companies who don't have these types of roles (smaller operators) are often the ones who are non-complying, as they aren't aware or fully covering the rules for each of their sites.
- 64 The landowner or harvest manager is often given the opportunity to provide evidence that they can comply with either the conditions of the consent or permitted regulations if low risk non-compliance is observed. Directive action is often used to require video or photographic evidence of compliance which is then followed up by a site visit. The Council has also engaged forestry experts to provide expert advice on harvest and earthwork methodologies to cover the gap in expertise amongst current CME and RA officers.
- 65 More recent observations of both consented and permitted sites that are found to be non-compliant have tended to be due to failure to complete works in accordance with the management plan. This includes failure to install appropriate erosion sediment controls and a lack of ongoing maintenance of these devices. This issue is found across forestry tracks, forest roads and skid sites.
- 66 The templated nature of some management plans is an issue where one plan has included information from a completely different site. As mentioned above, the crossover information will often include methodologies that aren't relevant and, in some cases, they will refer to information that has been found non-compliant on another site. This demonstrates that some practices are copied into other plans that may not meet the requirements of the NES-CF or are not site specific.
- 67 Resource consent is required when a management plan is not prepared in accordance the relevant schedules of the NES-CF (controlled activity in the case of harvesting & earthworks).

68 When non-compliance of this nature is identified during the review of the permitted notification, the plan is returned for the notifier to reconsider the plan to bring it back into line with the NES-CF requirements. In some cases, non-compliances related to the management plan not being prepared in accordance with the schedules can be found once works have already begun. Again, Council's approach has been to use a variety of tools to bring their management plans back in alignment with the relevant schedules for ongoing work.

69 Harvest and Earthworks Management Plans often contain as much information as possible to make sure nothing is left out. The issue that this leads to when undertaking compliance is that the management plan will fail to identify the site-specific environmental risk, including the risk of erosion and the nature of the waterways on site. However, this varies between companies and depends on the work done during and prior to the plan being created.

#### Enforcement information

70 Data has been extracted from the Council's enforcement database. This is an internal spreadsheet with all abatement notices, advisory notices and infringements issued and the details relating to these.

71 There has been a total of twelve abatement notices issued across the Region related to forestry activities since 2018. From the database, there are three abatements which relate to forestry activities within the two Whaitua.

72 In summary, the abatement notices were for unauthorised disturbance of soil and deposition of slash. This included several accounts of sediment discharges to land and water in breach of the NES-PF/CF. There were two examples where there was a breach of resource consent for the unauthorised disturbance of the bed and banks of rivers. There was one instance of stream reclamation associated with the forestry harvesting.

73 There has been a total of 13 infringements related to forestry activities across the Region since 2018. Some of these include multiple infringements for one site. Four of these relate to two separate forestry sites within TWT.

74 Two of the infringements were for the disturbance of the bed of a river and the discharge of sediment into the Akatarawa West River by driving machinery and logging trucks across the riverbed during a designated fish spawning period. These were issued in 2022.



- 75 The other two infringements related to the unauthorised use of land and the unauthorised discharge of sediment laden water to land where it may enter water associated with forestry harvesting operations. These were issued in 2024.
- 76 There have been no prosecutions for forestry activities within the two Whaitua since the NES-PF was introduced.

#### Follow up of non-compliance

- 77 When certain non-compliances are found on site, a timeline can be set for the required actions or remediation to be completed. Actions the Council has directed for non-compliance in the past include installation of erosion and sediment controls at the outlets of road culverts, construction of silt traps along roading water tables and measures to stabilise exposed earthworks, such as road batters and side cast material. The timeline that is set for actions and remediation to be completed considers the actual and potential effects on the environment from the non-compliance, predicted weather forecast and practical circumstances.
- 78 A follow-up site visit is always undertaken when an advisory notice or abatement notice is issued.

#### CHALLENGES

- 79 The NES-PF and NES-CF regulations have been and still are hard to enforce. The Council receives some pushback around the wording “unless to do so would be unsafe” when asking to move slash. This essentially means that if forestry companies deem it unsafe to remove slash or place it somewhere stable, it is difficult to require them to do so.
- 80 There is always a balance between freshwater ecology and the risk to downstream infrastructure when considering slash in waterways as well. This is frequently a matter of discussion with forestry operators.
- 81 Where a consent has been applied for, or a permitted notification submitted, a harvest and earthworks management plan is used to either form the basis of their resource consent application or to meet the permitted activity requirements of the NES-CF. The plans are required to outline the proposal in full and identify any high-risk areas on site and the mitigation measures proposed. The difficulty that the Council faces is interpreting the aspects of the mapping and plans as the Council has previously not had expertise in assessing or creating harvesting/earthworks methodologies.

- 82 Another issue with 'on the ground' monitoring that often arises is identifying whether there is actually a bench constructed under the slash compacted off the side of a skid site. The NES-CF requires that slash is to be left in a stable location following harvesting and processing of the logs. The bench is often utilised as an area for slash to be deposited post-harvest that is near or on the edge of the skid. This involves either dragging slash that can be reached up onto it or pushing slash from the skid site down on to it. When this occurs, it can be very difficult to determine whether there is a bench located underneath the slash and whether the material is located in a stable location.
- 83 Some (not all) forestry companies outline an assessment that they undertake to determine the risk from slash that is being left below the 5% AEP zone. Where there is no machine access, they will determine what other options there are in terms of further slash management. We often run into the issue where we identify slash within the 5% AEP zone and that is met with resistance due to health and safety concerns relating to accessing it. As Council staff are not health and safety experts, they are then in a difficult position as to determine the best course of action.

#### Expertise

- 84 Turnover within the regulation department has been high and the staff are not trained forestry experts, therefore it takes time to build the competence and confidence to question the forestry practices of those in the forestry sector/industry.
- 85 There is an ongoing challenge associated with CME officers and RA's giving directions on site to forest companies and loggers who often have decades of experience and knowledge. Given the limited expertise in forestry practices, it is common for staff to identify an issue which will often not comply with regulation, however, be challenged on what the remedying action should be. As outlined above, this can also include being challenged on whether any remedying action is safe to undertake or not. More recently, with the involvement of forestry consultants, there have been occasions where advice has been sought on appropriate remediation or actions based on non-compliance found by Council staff.
- 86 No current CME officers or RAs have come from a forestry background or have any qualifications directly linked to forestry. While capability and resourcing has increased over time, expertise remains an ongoing challenge.

87 A solution to managing the challenge outlined above was enlisting the help of an expert to assist in this area and provide important feedback into how a block can be harvested to reduce environmental impact. Our expert involvement at this stage has primarily been in the consenting space at the time of application, not for permitted activity compliance monitoring.

## **CONCLUSION**

88 Since the NES-PF first came into effect in 2018, the Council's capacity and resourcing for compliance monitoring of forestry activities across the region has increased. The focus has been and continues to be on monitoring consented forestry activities. As the majority of forestry activities within TAoP and TWT are able to be undertaken within the permitted standards (provided conditions are met) of the NES-CF due to the ESC zoning, proactive monitoring of sites in these catchments is not prioritised and therefore undertaken a lot less frequently than consented site visits. Other than forestry operations undertaken on Council owned land, there is less understanding or awareness of what active forestry operations have been completed or are being undertaken with the TAoP and TWT.

**DATE: 15 APRIL 2025**

**JOSHUA CRAIG PEPPERELL**

**SENIOR RESOURCE ADVISOR**

**GREATER WELLINGTON REGIONAL COUNCIL**

## REFERENCES

<sup>1</sup> <https://www.mpi.govt.nz/forestry/national-environmental-standards-commercial-forestry/erosion-susceptibility-classification/>